IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

COCP No. 1023 of 2006
Date of decision: November 27, 2006.

Ravinder Kumar

...**Petitioner(s)**

v.

Shri Sarabdeep Singh, IPS

...**Respondent(s)**

Present: Shri K.S. Dadwal, Advocate for the petitioner.

Shri G.S. Cheema, Sr. Dy. Advocate General, Punjab for the respondent.

Surya Kant, J. (Oral)

The petitioner filed Crl. Misc. No.16784-M of 2005, which was disposed of by this Court on March 20, 2006 with a direction to the Director General of Police, Punjab to look into the report submitted by the Additional Director General of Police, Punjab State Human Rights Commission and to take appropriate action under the circumstances against the delinquent police officials. For the purpose of compensation, the petitioner was relegated to the remedy before the civil court.

Alleging non-compliance of the above stated order, this contempt petition has been filed.

On August 17, 2006, Learned State Counsel was asked to get instructions in the matter.

In compliance thereto, an affidavit of S.S. Virk, Director General of Police, Punjab has been filed. As per the averments made in the affidavit, the delinquent officials have been charge-sheeted and after

initiating disciplinary proceedings against them, they have also been placed under suspension vide order (Annexure R-6).

Learned Counsel for the petitioner, however, contends that instead of disciplinary action, the delinquent officials ought to have been prosecuted under section 58(2) of the NDPS Act.

After hearing Learned Counsel for the parties and keeping in view the spirit and import of the order dated March 20, 2006 passed by this Court, referred to above, this petition is disposed of with liberty to the petitioner to approach the appropriate forum if he is dissatisfied of the action already taken against the delinquent officials by the DGP.

Disposed of.

November 27, 2006. [**Surya Kant**]
kadyan **Judge**